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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/304,968	05/04/1999	CHARLES J. GAZDIK	10990852-1	1450

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EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 05/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/304,968

Applicant(s)

GAZDIK ET AL.

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Simon et al. (US Patent No. 6,065,008).

As to claim 1, Simon teaches:

opening a printer metrics file (i.e., font file 50 in fig. 2); reading one set of the at least one set of font metrics from the printer metrics file (col. 1, lines 15-21);

creating an operating system font from the one read set of font metrics ( the signing module 48 being in the operating system for creating font of the operating system from information of set of font in the font file (col. 5, lines 45-55), and the signing module 48, which is implement in software such as routines or DLLs for creating the operating system font, would inherently open the font file and reading information within the font file (col. 4, lines 22-30);

As to claim 2, Simon teaches reading the one set of font metrics includes reading at least the width and height of the font represented by the one read set of font metrics (col. 1, lines 17-21, information of font or set of character would include the width and height of the font).

As to claim 3, Simon teaches applying the one read set of font metrics to a font templates (i.e., glyph outlines, col. 5, lines 38-41); and saving the font template as an operating system font (since the signing module 48, which is implement in software such as routines or DLLs for creating the operating system font, would inherently apply the one read set of font metrics to a font templates and saving the font template as an operating system font (col. 4, lines 22-30)).

As to claims 4-5, Simon teaches installing and registering the operating system font on an operating system (since the signing module 48, which is implement in software such as routines or DLLs for creating the operating system font, would inherently install and register the operating system font on an operating system (col. 4, lines 22-30)).

As to claim 6, Simon teaches determining a name for the operating system font; and recording the name of the operating system font with a printer driver associated with the printer metrics file (col. 1, lines 17-20).

As to claim 7, Simon teaches repeating steps b and c for each of the at least one set of font metrics contained in the printer metrics file (col. 4, lines 52-55).

As to claims 8-13, Simon teaches the apparatus for performing the steps in claims 1-6 as indicated above.

As to claims 14-20, Simon teaches the program for performing the steps in claims 1-7 as indicated above.

*Response to Arguments and Amendment*

3. Applicant's arguments filed 2/20/02 have been fully considered but they are not persuasive.

Applicant asserted in pages 2-3 “ The Examiner suggests that the font file 50 of Simon is a printer metrics file. Conventionally, font files contain all of the information necessary for creating a font, including glyph outlines, usage restrictions, metrics, and so forth. Whereas printer metrics files contain only the metrics of one or more printer fonts, such as selection string, character string, character set, point size, scalability, width, and height of each printer font and whether each printer font is bolded, italicized, or both. Furthermore, Simon does not disclose that the font file 50 is a printer metric file. Therefore, font file 50 is not an appropriate analog to the printer metrics file of Applicants’ claims. Since Simon does not disclose a printer metrics file, Simon does not teach opening a printer metrics file.” In reply, Simon clearly teaches font file is used for a printer or monitor (col. 1, lines 15-16 and 22-27). Furthermore, Petteruti et al. (US Patent No. 6,147,767) teaches, in col. 2, lines 31-33 and col. 15, lines 24-30, font files is used only to a printer. Also, Parker et al. (US Patent No. 6,065,884) discloses font file is stored in a memory (ROM) is used for a printer (col. 31, lines 50-52). If the font file 50 is not a printer metrics file, the font file have the same characteristic with the printer metrics file because the font file have elements is included in the file such as s set of characters with the typeface, style, scalability, stoke weight (e.g., bold), size ...

Applicant asserted in page 3 “ Unlike Applicants’ invention, Simon does not open a printer metric file; Simon does not read font metrics contained in the printer metrics file; and Simon does not create an operating system font from the font metrics.”. In reply, Simon discloses

Art Unit: 2624

when the client 26 ( see fig. 1) receives a font file or font subset file is transmitted from the distributor server 24 (see fig. 1), the module 76 of the operating system 74 (see fig. 4) of the client 26 is invoked to authenticate a font subset file (col. 5, lines 25-28). Thus, from the above statement, the file is open and read by a program of operation system. And then this operation system's program has to create the client-operation-system font from the font of the distribution server's font subset file by reconstructing the root of the authentication values contained in the font subset file (col. 5, lines 29-35). And Simon discloses how to create the new font for the client operation system 26 in column 8, lines 21-65.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

#### ***Contact Information***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

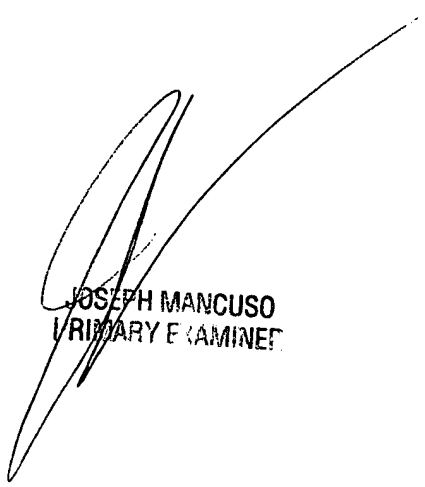
Art Unit: 2624

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran  
May. 04, 2002



JOSEPH MANCUSO  
PRIMARY EXAMINER